

ZB# 04-68

William Greehey

77-3-1

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 10-25-04

ZBA # **04-68** WILLIAM GREEHEY
(AREA) 2209 REVERE'S RUN(77-3-1)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

March 15, 2005

William Greehey - OR PRESENT OWNER
2209 Revere's Run
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-68

Dear Sir:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-3-1-

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

WILLIAM GREEHEY

AREA

CASE #04-68

WHEREAS, Mr. & Mrs. William Greehey, owner(s) of 2209 Revere's Run, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 22 ft. Rear Yard Setback and; 30% Developmental Coverage

For proposed 13 ft X 21 ft. addition at 2209 Revere's Run in an R-3 Zone (77-3-1)

WHEREAS, a public hearing was held on October 25, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were two spectators appearing at the public hearing; and

WHEREAS, both spectators spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The applicant proposes to build a small addition to his house, which addition will occupy a space presently occupied by a patio.

- (c) In constructing the addition, the applicant will remove no trees or substantial vegetation.
- (d) The addition, if permitted, will not cause the ponding or collection of water or divert the flow of water drainage.
- (e) The addition will not be on top of nor interfere with any easements including, but not limited to, water, sewer and utility easements.
- (f) One objectant in the hearing complained that construction of an addition would interfere with his view of the lake.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

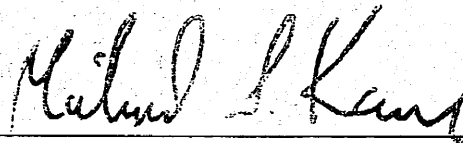
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 22 ft. Rear Yard Setback and; 30% Developmental Coverage

For proposed 13 ft X 21 ft. addition at 2209 Revere's Run in an R-3 Zone (77-3-1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: October 25, 2004

A handwritten signature in dark ink, appearing to read "Michael J. Kemp", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JANUARY 28, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 158.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-68

NAME & ADDRESS:

**WILLIAM GREEHEY
36 TREMONT TERRACE
WANAQUE, NJ 07465**

THANK YOU,

MYRA

L.R.01-28-2005



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-68 TYPE: AREA

APPLICANT Name & Address:

**William Greehey
2209 Revere's Run
New Windsor, NY 12553**

TELEPHONE: 567-1199

RESIDENTIAL:	\$ 50.00	CHECK # <u>6282</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #6281

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>5</u> PAGES | \$ <u>27.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ____ PAGES     | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>8</u> PAGES | \$ <u>44.00</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ____ PAGES     | \$ _____                               | \$ _____                      |

TOTAL:          \$ 71.50          \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00

LESS: DISBURSEMENTS: \$ 141.50

AMOUNT DUE: \$ _____

REFUND DUE: \$ 158.50

Cc:

L.R. 01-28-2005

Memorandum

To: TOWN BOARD OF THE TOWN OF NEW WINDSOR
CC: JOE SAFFIOTTI – WERNER AND SAFFIOTTI
From: TODD NEAVIN – 2026 INDEPENDENCE DRIVE NEW WINDSOR NY 12553
Date: 10/25/2004
Re: VARIANCE REQUEST / ADDITIONAL CONSTRUCTION BY NEIGHBOR

1. ALL INFORMATION RELATED TO LOT SIZE, LAYOUT, DESIGN STYLE, FOOT PRINT, AND PROXIMITY OF OTHER STRUCTURES, ALL PROVIDED TO HOMEOWNER BY BUILDER DURING CONSTRUCTION PHASE.
2. DISCUSSIONS WITH BUILDER RELATED TO NEIGHBORING LOT CONSISTING OF LESS THAN ¼ ACRE SQUARE FOOTAGE RELATED TO EXISTING HOUSING MODELS. CUSTOM HOUSE APPROVED FOR LOT.
3. POSSESSING KNOWLEDGE OF INFORMATION, PAID ADDITIONAL COSTS FOR WATER VIEW/POND SIDE LOCATION AND WAITED ADDITIONAL 8 MONTHS FOR COMPLETION OF HOUSE. (PROCESS ALSO DELAYED SALE OF PREVIOUSLY OWNED HOUSE, INCONVENIENCE TO FAMILY AND PURCHASING FAMILY)
4. BUILDER UNABLE TO SATISFACTORILY GRADE LOT AS A RESULT OF FENCE INSTALLED WITHOUT BUILDING PERMIT. FENCE INSTALLED SO STORM SEWER GRATE POSITIONED ON MY SIDE OF FENCE WHICH IS OWNERS PROPERTY. (AREA NOT MAINTAINED BY OWNER / CREATES PROBLEM FOR BUILDER TO SERVICE AREA AS A RESULT OF POSITIONING OF FENCE) SEE PHOTOS A1 THRU A3.
5. NEIGHBOR RECENTLY INSTALLED PATIO AND MOVED CONDENSERS IN ORDER TO ACCOMMODATE PATIO. NEIGHBOR WILL NEED TO TEAR UP PATIO AND RE-INSTALL TO ACCOMMODATE PROPOSED RENOVATIONS. (CURRENT PROXIMITY OF HOUSE PRESENTLY ALLOWS MY FAMILY TO VIEW THEIR T.V.) IMAGINE PRIVACY RELATED ISSUES IF VARIANCE APPROVED? SEE PHOTOS B1 THRU B5.
6. IF VARIANCE APPROVED, REAR OF HOUSE WILL ENCROACH UPON PROPERTY LINE. REAR OF HOUSE, WILL REDUCE AND LIMIT PERSPECTIVE TO POND SIDE AND WATER VIEW. APPROVED VARIANCE WILL REDUCE RESALE VALUE OF HOUSE. LASTLY, APPROVED VARIANCE WILL SET A PRECEDENCE THAT ALL HOME OWNERS RESIDING IN THE RESERVE, CAN ALTER WHAT WAS AGREED UPON ORIGINALLY BETWEEN THE TOWN AND THE BUILDER.

POINTS OF REFERENCE: TOWN BOARD OF THE TOWN OF NEW WINDSOR ZONING CHAPTER 300-2 RELATED TO TITLE AND PURPOSE. INTENT TO PROVIDE FOR PRESENT AND FUTURE RESIDENTS BY ENCOURAGING THE DEVELOPMENT OF A BALANCED VARIETY AND QUANTITY OF SOUND HOUSING OPPORTUNITIES FOR ALL SEGMENTS OF THE POPULATION, TO PROTECT AND ENHANCE THE COMMUNITY'S APPEARANCE, AND TO PROTECT RESIDENTIAL AREAS AND PROVIDE PRIVACY FOR FAMILIES.

October 25, 2004

To whom it may concern,

My name is William Chavers and I reside on Independence Drive in the The Reserve at New Windsor. Unfortunately, I am unable to attend this evenings meeting to voice my concerns about the proposed addition at 2209 Rever's Run, lot 77-3-1. I am opposed to the development of this addition because I am concerned about overcrowding in my development. This development has limited space as it is. Allowing homeowners to stretch their homes beyond the 30 foot set back allowance will detract from the overall appearance and feel of our community. It will become crowded, limit privacy and become a potential fire hazard. I don't want to see this community looking like a town home community.

Please know if I were able to attend in person I would have. My absence should not be mistaken for a lack of concern and objection.

Thank you for your time and your continued support for the Town of New Windsor and The Reserve at New Windsor.

Regards,

William Chavers



2022 Independence Dr

P.S My # is 914-282-6463

October 25, 2004

To Whom It May Concern,

We are unable to attend the meeting tonight. We are writing this letter in regards to the proposed addition at 2209 Revere's Run (Lot 77-3-1). We feel that the Reserve already has limited space between houses and this addition will contribute to overcrowding and will negatively effect the aesthetics of the neighborhood. In addition, we are concerned about the possibility of two "Spec" houses being built on the two corner lots across the street from our house. Thank you for taking the time to consider our concerns.

Thank you,


Carolyn and James Berkowitz

2028 Independence Drive

New Windsor, NY 12553

(845) 216-2696

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: September 20, 2004

**APPLICANT: William Greehey
2209 Revere's Run
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 9/15/04

FOR : 13x21 ft. addition

LOCATED AT: 2209 Revere's Run

ZONE: R-3 Sec/Blk/ Lot: 77-3-1

DESCRIPTION OF EXISTING SITE: Existing one-family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed 13x21 ft. addition will not meet minimum 30ft. rear yard setback.**
- 2. Developmental Coverage—R-3 zone—20%**

COPY


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-3 USE: Bulk Tables "See approved site plan"			
MIN LOT AREA:			
MIN LOT WIDTH:			
REQ'D FRONT YD:			
REQ'D SIDE YD:			
REQ'D TOTAL SIDE TD:			
REQ'D REAR YD:	30'	18'	22'
REQ'D FRONTAGE:			
MAX BLDG HT:			
FLOOR AREA RATIO:			
MIN LIVABLE AREA:			
DEV COVERAGE:	20%	50%	30%

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

Lot Area	10,672
Coverage	5,326 = 49.9%

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

SEP 15 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 2004-1230

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises William + Felicia Greehey

Address 2209 Revere's Run Phone # 845-567-1199

Mailing Address same Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor David Phelps - John Henry Construction

Address 163 Berkman Drive, Middletown, NY Phone 845-551-2991

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 77 Block 3 Lot 1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy primary residence b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? yes - cul-de-sac (13x21) (extending living space)

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories 1

8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____

Number of bedrooms 4 Baths _____ Toilets 3 Heating Plant: Gas ☒ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars 2

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50.00

ZONING BOARD

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

x *Telicia Greehey*
(Signature of Applicant)

(Address of Applicant)

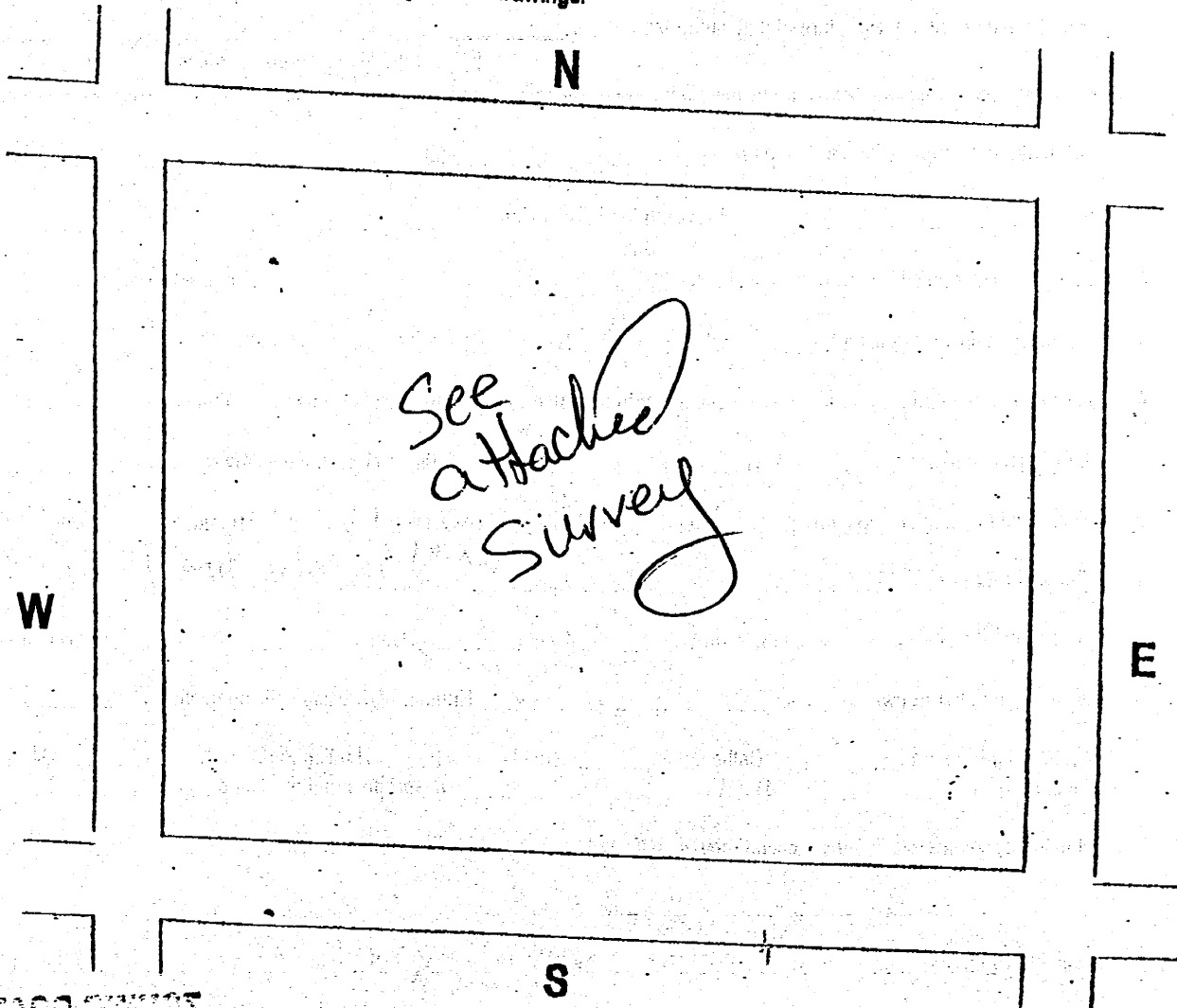
x *Telicia Greehey*
(Owner's Signature)

PLOT PLAN

(Owner's Address)

NOTE:

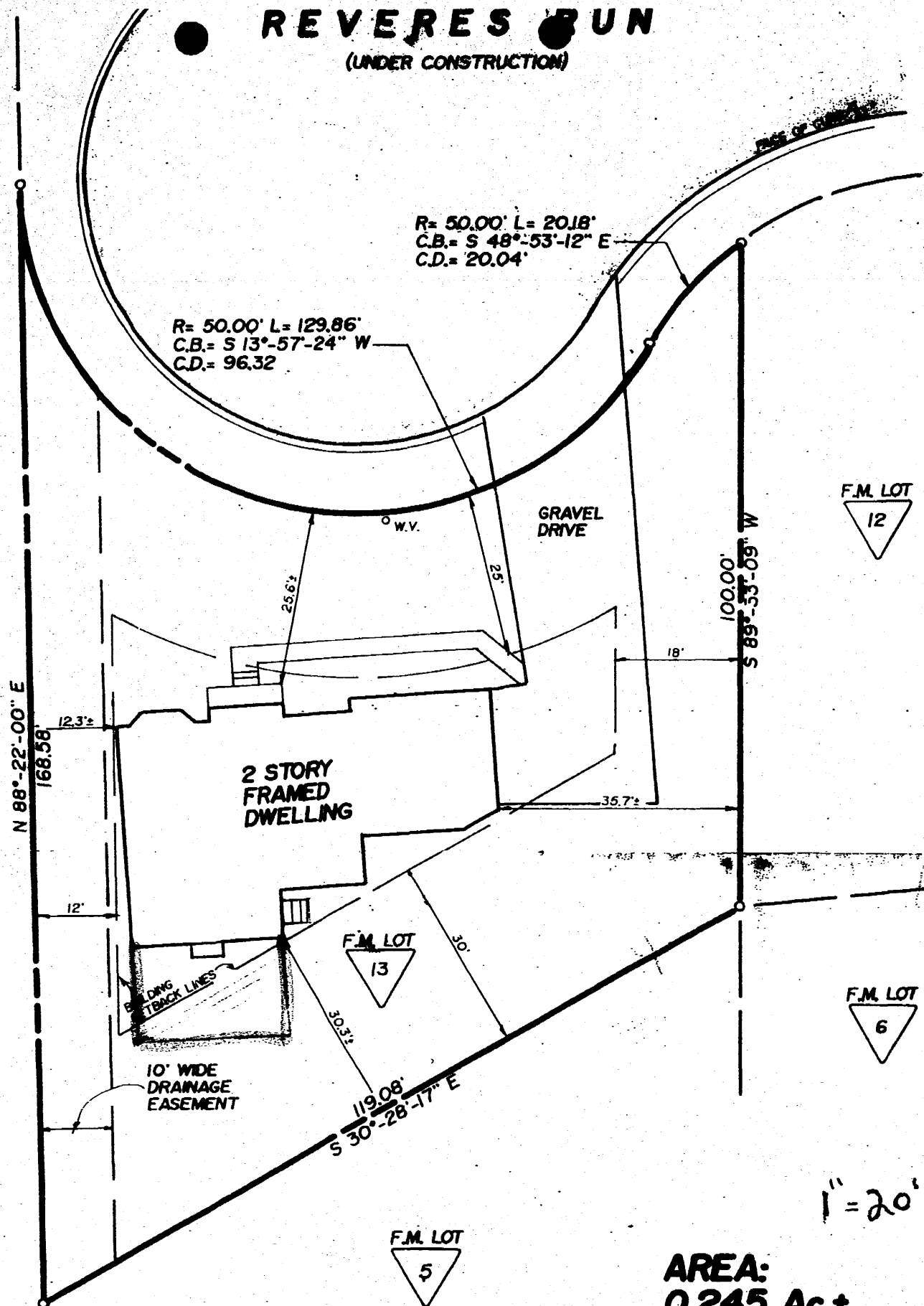
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



CHAD B. HICKS

REVERES RUN

(UNDER CONSTRUCTION)

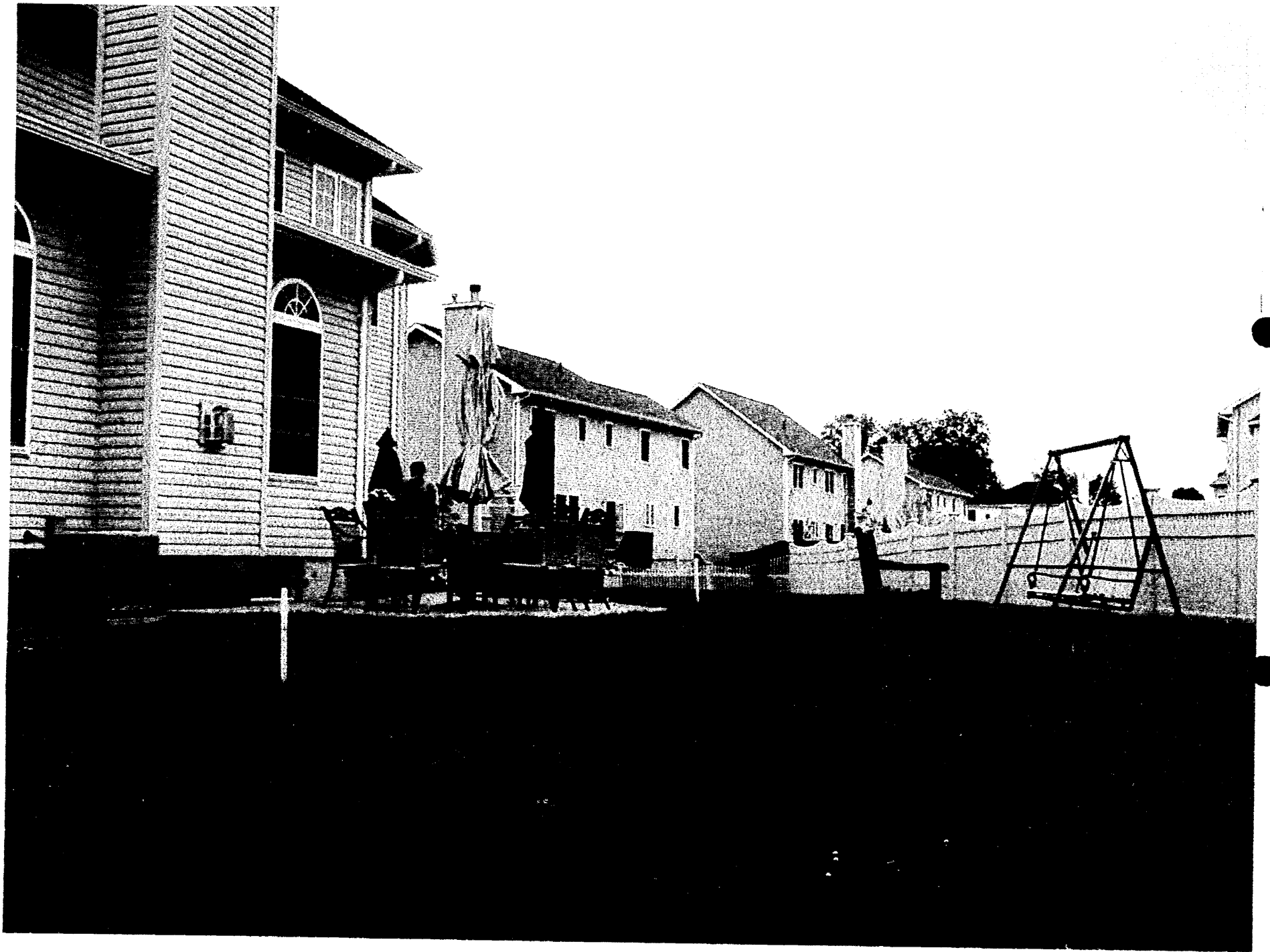


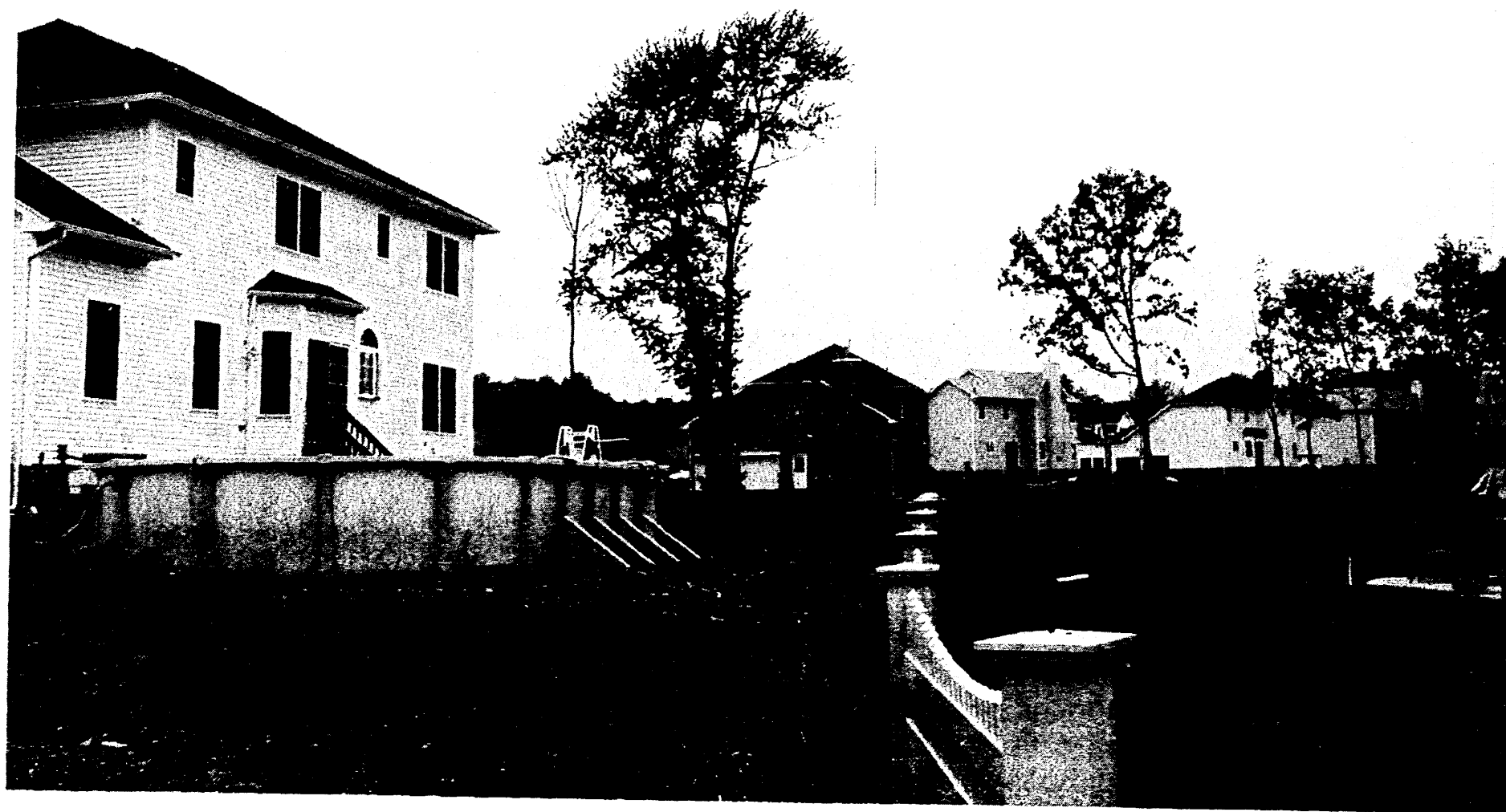
AREA:
0.245 Ac.±

TAX MAP REFER



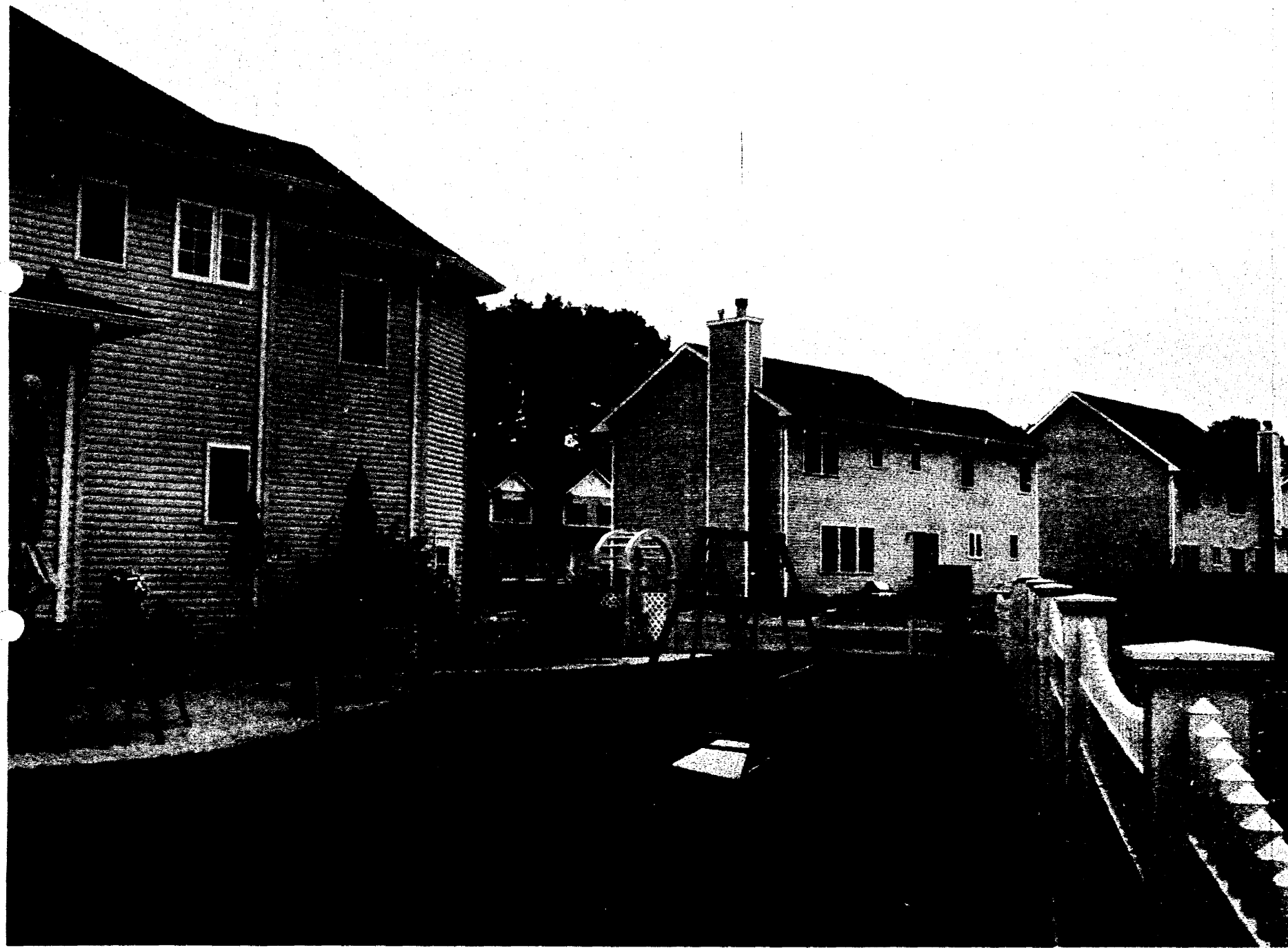












WILLIAM GREEHEY (04-68)

Mr. and Mrs. William Greehey appeared before the board for this proposal.

MR. KANE: Request for 22 ft. rear yard setback and 30% developmental coverage for proposed 13 ft. x 21 ft. addition at 2209 Revere's Run in an R-3 zone.

MR. MINUTA: Mr. Chairman, I'm going to recuse myself from this particular hearing, I have some business dealings with the couple.

MR. KANE: Will you tell us what you want to do?

MR. GREEHEY: Well, Mr. Chairman, here's some pictures, computer simulated, that show what the addition will be. It's a bump-out because of our lack of first floor room for any family activity, also we really don't even have a place for a Christmas tree in the current layout so anymore pictures needed? This will be occupying a space what's currently a cobblestone patio.

MR. KANE: You're going to be cutting down any trees or removing substantial vegetation in the building of the addition?

MR. GREEHEY: No, there's no vegetation whatsoever in our back yard, matter of fact, we have added about five or six trees and substantial number of rose bushes.

MR. KANE: Will you be creating any water hazards or runoffs?

MR. GREEHEY: Negative, we're on the down side, we're on the receiving side of water.

MR. KANE: Any easements running through where you want to put it?

MR. GREEHEY: Not through, we border an easement on the side for the pond.

MR. KRIEGER: Nowhere near this?

MR. GREEHEY: Plus that's not even, we have water in it now but when we first saw it, it was dry so it depends on how much rainfall we get at the time.

MR. KANE: And your feeling with the addition on your home is that it's not going to make the home overly big for the neighborhood?

MR. GREEHEY: No, matter of fact, I think ours is the smaller house in comparison. If it was as big as other houses, we wouldn't be doing it.

MR. KANE: Okay, at this point, they've got to be here for you, so we'll ask Joe, would you bring that so we can, Joe is going to bring a sheet just to get your name and address so we have it and at in this point, I will open it up to the public. I want to hear what you have to say. Any questions? Bring them up and we'll get them answered for you as best we can. Okay? So when you stand up, your name and address and then whatever you need to ask for whatever you want to state.

MR. NEAVIN: My name is Todd Neavin, I live at 2026 Independence Drive directly behind the property and I'm here today to request that the variance be denied for the reasons of and I will show you some pictures of some close in proximity, these, the homes already are there, this property as was testified that house that was designed and built by the builder unlike the other model in the neighborhood as a result of the fact that the particular lot is about a quarter of an acre and/or less, excuse me, a quarter of an acre. I reside directly behind, I spent a period of time waiting almost nine months for my house to be built because I

wanted that particular lot. I put substantial amount of money because it is water view, does have a water view, not quite an egress but a visual representation of the pond or the reservoir, if you want to call it that and in the process of this elevation and this increase not only will it bring his property closer to what is the property line but it will also start to reduce some of the view that some of my property has to that particular view. What I want to do, I also, I'm also in possession of two other letters from two other neighbors that were unable to make it today and I have some photographs representing the fence which is on the property line and photographs just to give you representation of the close proximity of that house in particular. And I guess in a nutshell, I'm fearful and I'm concerned that this allowance bringing that house that much closer to my line as it is the fact that the builder did not put one of the other models on this particular lot because of its lot size and its location shows me already that whether it was a decision between the Town and the builder, that they weren't allowed to do that could adversely affect the property value of my home if I choose to resell. I moved up here for the purpose of the size of house for the lot. I waited, the people that bought my house waited eight months beyond when I could have moved into another lot and I feel that this is going to negatively affect my situation. You can also see representation of the pictures, that's a sign that's to my knowledge was put in or I'm sorry the fence which separates the two properties which was put in without a building permit and in the process of doing that it adversely affected my builder to appropriately give me have the correct grade that was originally intended, as you can see, there's a storm water grate which is on my side of the fence but would also intersect and be part of his property so in the process of putting the fence up not only was the fence put up on the side of the storm sewer placing that fully on my side of the fence but that also it's created a problem for the builder as

they come through there that they haven't had absolutely 100 percent access to that particular space. You can see there's been a patio that's been shortly installed just recently and in the process of the extension not only will the patio have to be removed and the house will be extended and the patio also will be reinstalled and extended which will also make that closer to my property. So again in a nutshell, I feel that property and this change is going to severely encroach upon my lot line and in close proximity to the point where I can literally see the T.V. in any room as it is now, if you bring it back another 20 feet, I can imagine.

MR. KANE: Next?

MS. DIAZ: Good evening, Christine Diaz, I reside at 2804 Cherry Tree Way, which doesn't necessarily even see this property but maybe you can answer some questions too because some of the language is new to me so what I really need to know is how far from the property line, how much back yard will there be in the end with the addition?

MR. GREEHEY: Ours there will be I'll say at least 20 foot.

MS. DIAZ: Twenty feet from the end of the house to the end of the property line?

MR. GREEHEY: In one spot, yes because actually half of the, half of the new extension is within my building limit lines and the other half is what's being added.

MS. DIAZ: What's the shortest distance?

MR. BABCOCK: Eighteen feet.

MS. DIAZ: My particular concern is because I live in a lot now that has an odd shaped lot next to it, much

like this lot was so it's going to need a specific spec house on it to be built when that time comes and my concern ultimately is the precedent that this is going to set to allow the homes to be--

MR. KANE: There are no precedents set, every individual meeting is taken on its own merits so no worries there, we don't set any precedents, we take each individual application on its own merit.

MR. KRIEGER: You see in the eyes of the law every piece of real property is unique, however identical it may be, it may appear at first blush, it's all considered unique so this board is required by law to consider every application on its own merits and merely because they granted a variance for Property A does not mean that they have to grant a variance for Property B cause it's considered unique.

MS. DIAZ: Okay. That being said, I won't say the word precedent and I understand the law but I will say I'm concerned about the overgrowth of the community in terms of homes getting closer and closer together, we have small lots for the size homes we have as it is quarter acre for 3,000 square foot houses or 27,000 square foot houses, it's tight as it is so I would just ask that that be taken into consideration, we think about how close the homes already are because ultimately--

MR. KRIEGER: You should be aware as far as that concern is that the Town Board has recently dramatically increased the size of lots that are required for building.

MS. DIAZ: So now if we continue to allow additions to be put on the top of it, it gets tighter and tighter, it begins to look like townhomes.

MR. KRIEGER: Understand your point just passing along

some information you may not have had.

MS. DIAZ: Thank you. So that's it, that's just my concern that we're getting too close as it is. Thank you.

MR. KANE: Thank you. Anybody else? At this point, I'll close the public portion of the meeting and ask Myra how many mailings we had.

MS. MASON: I mailed out 35 addressed envelopes on October 5 and had no written responses.

MR. KANE: Todd, were these meant for us?

MR. NEAVIN: Just speaking points, yes.

MR. KANE: I will add one into the record.

MR. NEAVIN: I know you didn't receive the mailings but the two being the fact that a few of the other neighbors that were in the radius that realized that I was coming to the meeting physically dropped those off.

MR. KANE: These are just responses.

MR. NEAVIN: I wanted to clarify that was in the record.

MR. KANE: Okay. William, do you want to address their concerns and how you feel?

MR. GREEHEY: Well, I mean, the proximity of houses I mean everybody is in there but quite frankly, if we can't get anymore room then we have to find another house someplace. This was a simpler solution, it's easier to stay and make an adjustment in the house than going and looking someplace else.

MR. KANE: Do you have any questions?

MR. MINUTA: I can speak on this?

MR. KRIEGER: He recused himself.

MR. KANE: No, you can't, sorry, I forgot. This is the home behind you?

MR. GREEHEY: Yes, that's Todd's house.

MR. MC DONALD: This is your neighbor's pool?

MR. GREEHEY: Yes.

MR. MC DONALD: Did we ever have this for a variance?

MR. NEAVIN: You have a building permit on it.

MR. MC DONALD: Are we right on this?

MR. BABCOCK: I don't have the file here.

MR. KANE: That's not what this is about.

MR. MC DONALD: I'm just wondering about it.

MR. KANE: What's this over here, this open property to the right of your house as you're facing your house?

MR. GREEHEY: This is the reservoir and pond area.

MR. KANE: How far up to this way does it come?

MR. GREEHEY: You'd have to look at the map, this is the fence running along here, that's the fence that's right here in the picture, it's going over to the side Town of Newburgh watershed area.

MR. KANE: Okay.

MR. BABCOCK: Do you have a copy of the tax map, Mr. Chairman?

MR. KANE: Yes.

MR. BABCOCK: Is it highlighted the lot? There you go.

MR. KANE: Kind of an unusual shaped lot.

MR. GREEHEY: Just the cul-de-sac took quite a slice out of the property.

MR. KANE: Okay, Lenny, any questions?

MR. MC DONALD: No.

MS. GANN: No.

MS. LOCEY: No.

MR. KANE: I'll accept a motion.

MR. MC DONALD: I'll make a motion that we grant the requested variances for Mr. William Greehey.

MS. LOCEY: Second it.

ROLL CALL

MS. LOCEY	AYE
MR. MINUTA	ABSTAIN
MR. MC DONALD	AYE
MS. GANN	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: October, 2004

PROJECT: William Greehey ZBA # 04-68
P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒
VARIANCE APPROVED: M) MC S) G VOTE: A 4 N 0.

GANN A
LOCEY A
~~RIVERA~~
MC DONALD A
~~REIS~~
~~MINUTA~~ Required
KANE A

CARRIED: Y ☒ N _____

No easements near addition

2026 Independence Dr. - Spoke against it

Also submitted letters from other homeowners

Christine Diaz 2304 Cherry Tree Way - Spoke re: how much
yard will actually be there and spoke in opposition
to.

TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

William Greehey

DATE: October 25, 2004

SIGN-IN SHEET

	NAME	ADDRESS
1.	<u>Bob Neave</u>	<u>2126 Independence Drive New Windsor</u>
2.	<u>Christine Diaz</u>	<u>2804 Cherry Tree Way New Windsor</u>
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

WILLIAM GREEHEY

**AFFIDAVIT OF
SERVICE
BY MAIL**

#04-68

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 5TH day of OCTOBER, 2004, I compared the 35 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

5th day of October, 2004

J. F. Mead
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 04-68

Request of WILLIAM GREEHEY

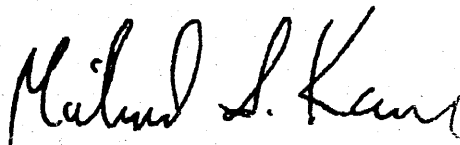
for a VARIANCE of the Zoning Local Law to Permit:

Request for:

**22 ft. Rear Yard Setback and;
30% Developmental Coverage**

for proposed 13 ft X 21 ft. addition at 2209 Revere's Run in an R-3 Zone (77-3-1)

**PUBLIC HEARING will take place on OCTOBER 25, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

October 4, 2004

William Greehey
2209 Revers Run
New Windsor, NY 12553

Re: 77-3-1

ZBA#: 04-68 (35)

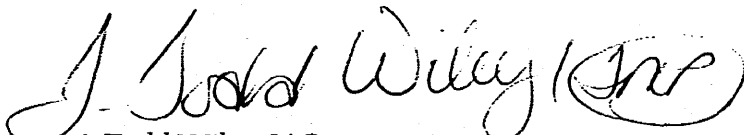
Dear Mr. Greehey:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

Various-Sect's 64 & 77
Mt. Airy Estates, Inc.
c/o Sarna Enterprises
15 Engle Street – Suite 100
Englewood, NJ 07631

77-1-9
Anthony J & Kerri J Bianchi
2654 Liberty Ridge
New Windsor, NY 12553

77-1-15
Brian & Maria Lewis
2808 Cherry Tree Way
New Windsor, NY 12553

77-2-12
Ramon Cardona, Jr.
Ramon Cardona, Sr.
2803 Cherry Tree Way
New Windsor, NY 12553

77-2-15
Yves & Barbara Boudreau
2704 Colonial Drive
New Windsor, NY 12553

77-3-2
James & Nancy Keating
2207 Reveres Run
New Windsor, NY 12553

77-3-5
Gerard Hopkins
2018 Independence Drive
New Windsor, NY 12553

77-3-8
Thomas & Silvana Spisany
2024 Independence Drive
New Windsor, NY 12553

77-4-2
James & Maritza Shapiro
2210 Reveres Run
New Windsor, NY 12553

77-4-5
Michael & Holly Stark
2204 Reveres Run
New Windsor, NY 12553

32-2-53
Newburgh Water Supply
City Comptroller
City Hall
Newburgh, NY 12550

77-1-13
Luis Diaz
Christine Lohrfink-Diaz
2804 Cherry Tree Way
New Windsor, NY 12553

77-2-10
Matthew & Cheri Elliott
2807 Cherry Tree Way
New Windsor, NY 12553

77-2-13
Larry Frazier
2801 Cherry Tree Way
New Windsor, NY 12553

77-2-16
Maria Stewart
2706 Colonial Drive
New Windsor, NY 12553

77-3-3
Robert & Erinn Chatfield
2205 Reveres Run
New Windsor, NY 12553

77-3-6
Tyree & Carolyn Smallwood
2020 Independence Drive
New Windsor, NY 12553

77-3-9
Todd, Monique & Sally Neavin
2026 Independence Drive
New Windsor, NY 12553

77-4-3
Thomas & Doreen Gleason
2208 Reveres Run
New Windsor, NY 12553

77-4-6
Solomon & Aileen Vilda
2202 Reveres Run
New Windsor, NY 12553

65-1-64
Wilma Fehrs-Foss
813 Queen Elizabeth Drive
Virginia Beach, VA 23452

77-1-14
Eric & Linda Spisany
2806 Cherry Tree Way
New Windsor, NY 12553

77-2-11
Antonio & Laura Nastro
2805 Cherry Tree Way
New Windsor, NY 12553

77-2-14
John & Gloria Brown
2702 Cherry Tree Way
New Windsor, NY 12553

77-2-17
Christopher & Jennifer Bautista
2708 Colonial Drive
New Windsor, NY 12553

77-3-4
Scott & Cyndee Weiss
2203 Reveres Run
New Windsor, NY 12553

77-3-7
William Chavers, III
2022 Independence Drive
New Windsor, NY 12553

77-4-1
Christopher & Helen Lynch
2212 Reveres Run
New Windsor, NY 12553

77-4-4
Michael & Christine Masterson
2206 Reveres Run
New Windsor, NY 12553

77-4-7
Adam & Madiam Strauss
2014 Independence Drive
New Windsor, NY 12553

77-4-8

Steven & Rosanne Barrows
2012 Independence Drive
New Windsor, NY 12553

77-4-9

John & Kim McCabe
2010 Independence Drive
New Windsor, NY 12553

77-6-12

Dorcas Peralta
2705 Colonial Drive
New Windsor, NY 12553

77-6-13

Claudette Major
2703 Colonial Drive
New Windsor, NY 12553

77-6-14

Jeffrey & Giuseppina Saracino
2701 Colonial Drive
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

October 5, 2004

William Greehey
2209 Revere's Run
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE # 04-68

Dear Mr. Greehey:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2209 Revere's Run
New Windsor, NY

is scheduled for the October 25, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

WILLIAM GREEHEY (04-68)

MR. KANE: Request for 22 ft. rear yard setback for proposed 13 ft. x 21 ft. addition at 2209 Revere's Run in an R-3 zone.

Mr. and Mrs. William Greehey appeared before the board for this proposal.

MR. KANE: Step up and tell us what you want to do.

MR. GREEHEY: Well, if you see our house from the front, you'll say it looks like a very nice, very good sized home. But if you see it from the side because of the lot configuration, very large swing of the cul-de-sac, our house is very narrow. The result is we have a long narrow kitchen with no access to the dining room directly, we have to go down through the vestibule and around. We have a small narrow living room. We have a lot of family that come over and to have room for everyone which totals up to ten grandchildren plus parents, other relatives, it's extremely cramped and what we're looking to do is by having this bump out we'd be able to get a family room or just really combine it with the living room and have a great room and be able to open up the kitchen where it's more practical and open up into the dining room and it's actually the bump out, only half of the bump out is in variance because the setbacks create a 30-60 triangle and we're just moving up into the apex of the 60 degree angle and creating an equal triangle which is the variance.

MR. KANE: Do you intend to pave the gravel drive down the line? You have a gravel driveway or is that paved?

MR. GREEHEY: No, it's asphalt.

MR. KANE: Says gravel here so probably old. Mike, how does that work with area coverage? We should take a

look at that.

MR. BABCOCK: Apparently, it hasn't been looked at.

MR. KANE: Just to make sure you're allowed to cover so much area on your property, if it was a gravel driveway then it's considered porous, the water can go through it but if it's blacktop, then it's part of the developmental coverage so we want to make sure that you're in that zone.

MR. BABCOCK: Now, I'm thinking back a little bit when we did that, we went into the original subdivision, that subdivision is fairly old, it was approved back in the '70s and on the original subdivision, there is no requirement for developmental coverage in this area. It was never put in. So we had one, we had one with the gentleman that put up the area around the pool, okay, and what we did is we took the R-3 regulations and applied it to this lot because there was no other, there's no regulations that's on this map that says it.

MR. KANE: Under R-3 would he be okay?

MR. BABCOCK: No, I don't think so.

MR. KANE: So we should cover that.

MR. BABCOCK: Okay. I think under R-3 regulations what he has right now which is legal would be over the developmental coverage because of the size of the lot and the size of the house with the driveways and sidewalks and everything else which we can do.

MR. KANE: So with your permission we're going to add that to your application.

MR. GREEHEY: Fine.

MR. KANE: So we can cover the developmental coverage

and clear everything up. Okay?

MR. GREEHEY: Now just as a curiosity talking about coverage basically the area that we would, we hope to move into is a patio so that depending on how much money we have left over, we would be thinking of putting the patio to the side but we might not be able to do that on the coverage basis.

MR. KANE: Yeah.

MR. REIS: Why don't we include that potential?

MR. MC DONALD: Just in case. Is that all right with you, Mike?

MR. BABCOCK: I'll need that, I'll need that information from him.

MR. KANE: We need a dimension, approximate, doesn't mean that you have to go and build this but we'll put it in there and it means if it's approved you'll be covered for it. So you can build it cause if he puts any kind of block down on the ground basically he needs it and it will come up when you go to refinance or sell. Let's try to add that in. What you can do, what I would suggest is take a look and maybe think about it, if you can't think of numbers right off the bat now is to think about a number for that and if it's going to be 10 x 10, 12 x 12, give Mike a call as soon as you can to let him know what the numbers are and he can work all the numbers for developmental coverage.

MR. GREEHEY: I would say 12 x 12 is probably as large as we would be going again.

MR. KANE: Do these back stairs that are shown on this does that come back to a patio?

MR. GREEHEY: Yes, if you look at the pictures they're

in the set you should be able to see all of that.

MR. KANE: This is where you want to put the addition?

MR. GREEHEY: The addition would be right where the tables are, you can see the stake right in the corner.

MR. KANE: Is this gravel?

MR. GREEHEY: No, that's all stone.

MR. KANE: So basically it's already there.

MR. REIS: Well, if he's expanding.

MR. KANE: Let's add it in 12 x 12. The one question that I just want to make sure there will be no problems with is the edge of the building you have a ten foot wide drainage easement, how wet does that stay and how close are we going to get to that?

MR. GREEHEY: It doesn't, no, it's, well, it doesn't get wet at all, the water accumulation is here. Matter of fact, there's a drain that they put right here so unfortunately, even with a bit of a culvert that they have attempted to put in just recently tremendous amount of water comes down here across here taking out all the grass and creating I think it's undercutting my driveway, there's a bad spot showing up and it stays damp days after it stops raining but no problem over there because we have the catch pond there and there's really there's no dampness. Matter of fact, one of the nice things about the house is it's been able to maintain a dry basement through all of this heavy rain that we have been having.

MR. KANE: Won't be cutting down any trees or substantial vegetation in the building of it?

MR. GREEHEY: There are no trees to cut down.

MR. KANE: Have to ask the question.

MR. GREEHEY: We'll be adding trees but not cutting them down.

MR. KANE: Substantial runoff or water drainage from the building of it?

MR. GREEHEY: No, at least nothing I can envision.

MR. KANE: And the only easements that we see that's near that is off to the side, it's a drainage easement and has no affect whatsoever on the building?

MR. GREEHEY: Correct.

MR. KANE: Any other questions, guys?

MR. REIS: In regard to your potential expansion of your patio, patio that you have now?

MR. GREEHEY: Actually shifting, sir, because the patio is there but since the bump out would cover that area we would re-set it over so we have a place to put a table and some chairs there.

MR. REIS: I was just going to say the 12 x 12 you might be limiting yourself, looks like you've got about 20 some feet there now.

MR. GREEHEY: Oh, there's, it's hard to say because of the walk and everything but--

MR. KANE: Take a day or two and decide on those numbers before you call Mike and give it a chance, you might reflect on it when you get home and say you should of went bigger because we need to have everything for that in the paper for the public hearing as you should know.

MR. REIS: Accept a motion?

MR. KANE: Sure will.

MR. REIS: Make the motion that we set up Mr. William Greehey for his requested variance at 2209 Revere's Run.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE

ZBA # 04-68
Application fee

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#990-2004

09/27/2004

Greehey, William

Received \$ 50.00 for Zoning Board Fees, on 09/27/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 09-27-2004

FOR: **ESCROW 04-68**

FROM: **WILLIAM GREEHEY**

2209 REVERE'S RUN


NEW WINDSOR, NY 12553

CHECK NUMBER: **6281**

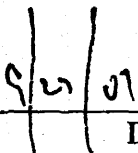
TELEPHONE: **567-1199**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



RESULTS OF Z.B.A. MEETING OF:

September 27, 2004PROJECT: William GreeleyZBA # 04-68

P.B.# _____

USE VARIANCE:

NEED: EAF _____

PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

RIVERA _____

MCDONALD _____

REIS _____

MINUTA _____

KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

RIVERA _____

MCDONALD _____

REIS _____

MINUTA _____

KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

RIVERA _____

MCDONALD _____

REIS _____

MINUTA _____

KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

RIVERA _____

MCDONALD _____

REIS _____

MINUTA _____

KANE _____

CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) RS S) MCVOTE: A 4 N 0~~GANN~~ _____~~LOCEY~~ _____RIVERA AMCDONALD AREIS A~~KANE~~ _____KANE ACARRIED: Y ☒ N _____

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED:

M) _____ S) _____ VOTE: A _____ N _____

GANN _____

LOCEY _____

RIVERA _____

MC DONALD _____

REIS _____

MINUTA _____

KANE _____

CARRIED: Y _____ N _____

Check Developmental Coverage - (Need Variance per Mile)Add approximate size for patio. 12' x 12'



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

9-24-04

Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 567-1199
William H. Greehey Fax Number: ()
(Name)
2209 Revere's Run, New Windsor, NY 12553
(Address)

II. **Applicant:** Phone Number: ()
Same Fax Number: ()
(Name)
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
Fax Number: ()
(Name)
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 551-2991
Fax Number: () 1-866-838-9085
David Phelps - John Henry Construction - JHC of NY, INC.
(Name)
163 Berkman Drive, Middletown, NY 10941
(Address)

V. **Property Information:**

Zone: R-3 Property Address in Question: 2209 Revere's Run
Lot Size: _____ Tax Map Number: Section 77 Block 3 Lot 1
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 9-26-2003
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	30'	18'	22'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☒

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

We basically bought this house sight unseen, as it was not one of the models offered in the development. It was a one-off "spec" house built to fit on a smaller, odd-sized lot. The current living space on our 1st floor is very tight. The living room is too small and does not easily accommodate company, which is a problem since we have 6 children and 10 grandchildren who visit fairly often. Right beside the living room is a long, narrow kitchen. The kitchen table sits at one end in a small 5' square area and protrudes into the entrance foyer on one side and blocks the opening into the living room on the other side. Also, there is no access into the dining room from the kitchen. Adding 13' onto the house will not only give us a larger living room, it will enable us to increase the width of our kitchen, and put a doorway between the kitchen and dining room.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- _____
- _____

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 500.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. **BY SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT THREE (3) SETS OF THE PHOTOS.)** **FOUR (4)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

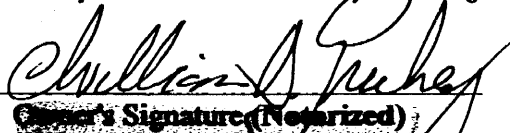
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

25 day of September 2004.



Signature and Stamp of Notary

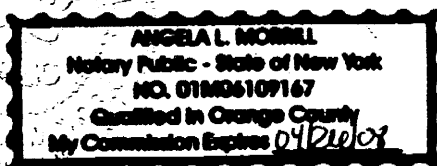


Owner's Signature (Notarized)
WILLIAM H. GREEHEY
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



COMPLETE THIS PAGE ☐



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING.... (this charge is not deducted from your escrow posted).

Chullean H. Gukey 9/26/04

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PAGE 2

COMPLETE THIS PAGE ☒

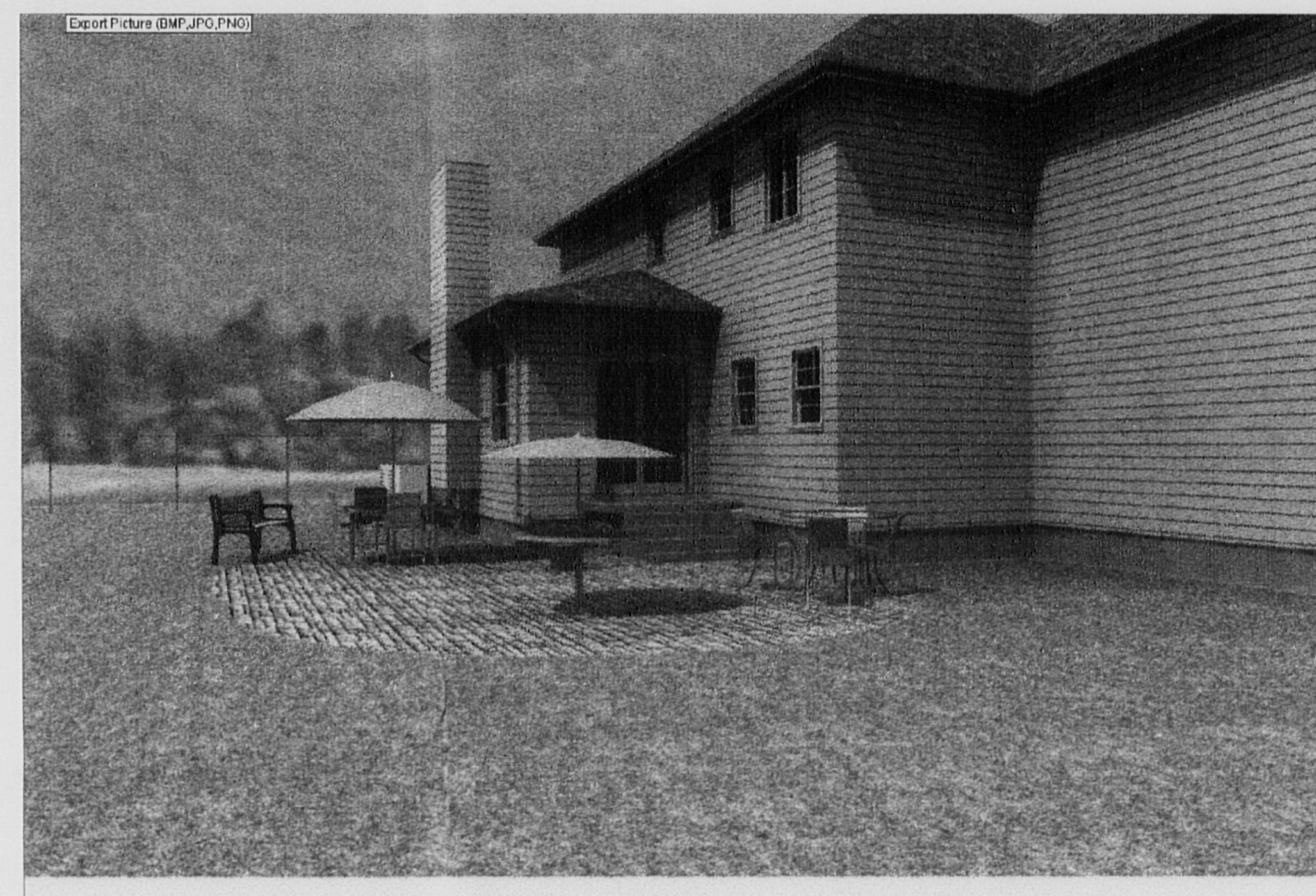
Photos...



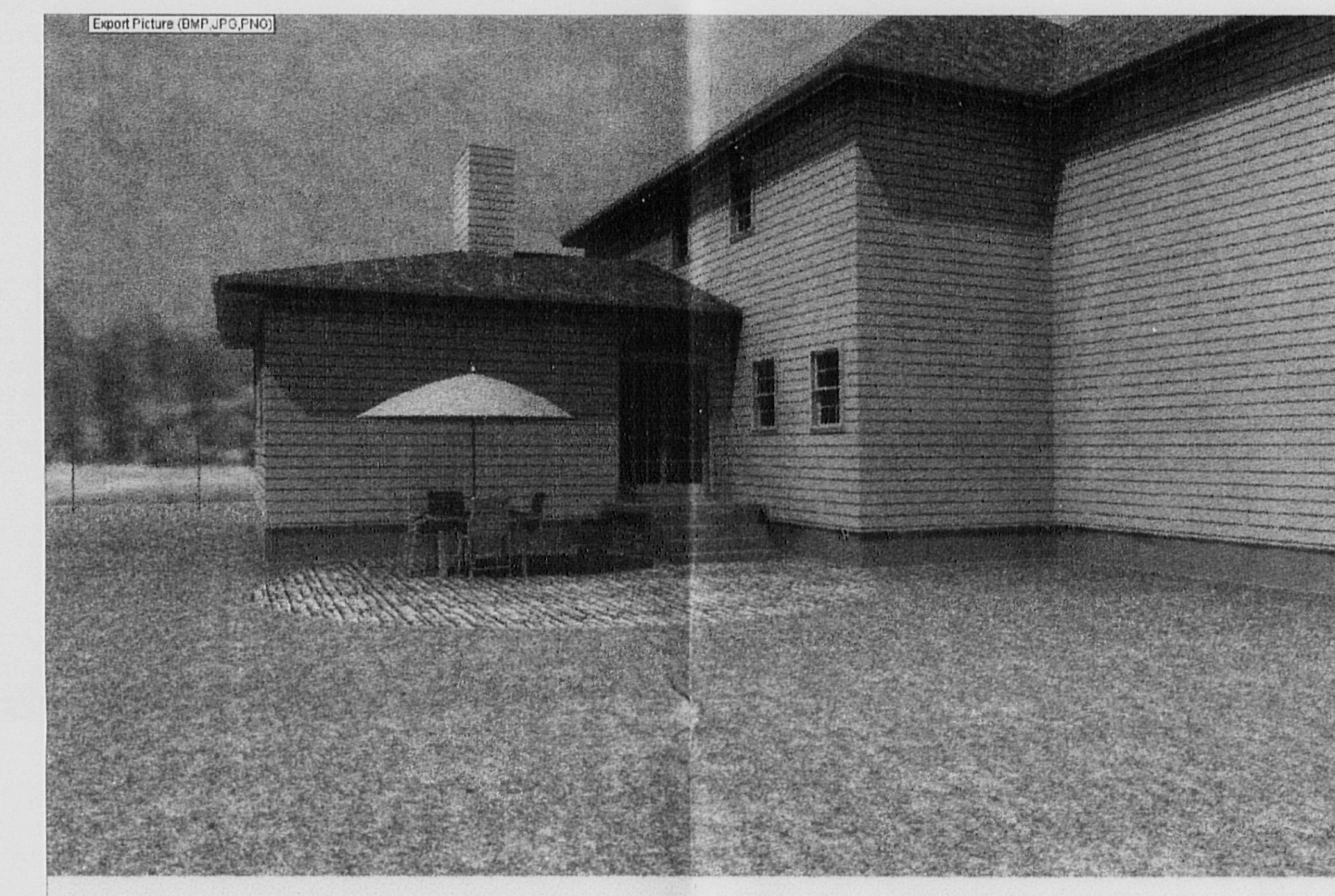
Photos showing placement of rear neighbors yard to Greehey home



Renderings...



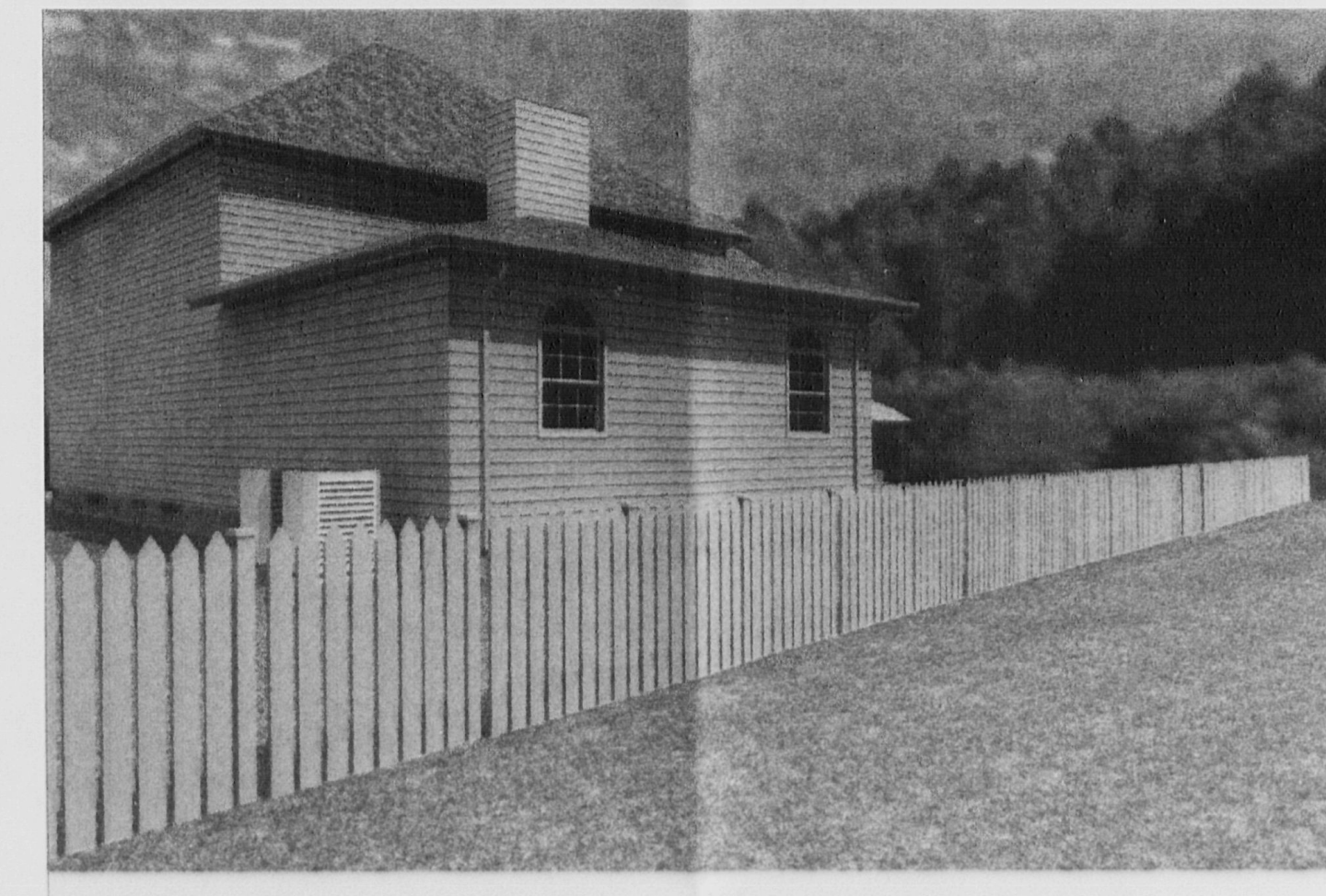
Right Side Before



Right Side After



Left Side Before



Left Side After

Revision	Date

Seal

Date:
Scale: AS NOTED
Drawn by: jvz
Checked by: pvc

Client: **Greehey, William & Felicia**
2209 Revere Run
New Windsor, NY 12553
Project: **15 Addition to Family room**

Hisway, Inc. Design Services
845 436 7717

John Henry Construction
Structure by...

Sheet Number
A1
Sheet # 1 of 3